

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

IN THE MATTER OF THE SEARCH OF

Case No. 3:18-MJ-00566-DMS

Priority Mail Parcel 9505 5106 9021 8324
1908 79 located at the United States
Postal Inspection Service, 341 W. Tudor
Rd., Ste. 208, Anchorage, AK 99503

**AFFIDAVIT IN SUPPORT OF AN APPLICATION UNDER RULE 41
FOR A WARRANT TO SEARCH AND SEIZE**

I, Postal Inspector Andrew E Grow, Jr., being first duly sworn, hereby
depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. In this warrant application, I seek authority to search Priority Mail Parcel 9505 5106 9021 8324 1908 79 addressed to "Lazaro Escalera, 905 Richardson Vista RD, Apt 328, Anchorage, aK 99501" from "Juabriel Escalera, C/Palacio 358 Villa Palmera, San Juan P.R. 00915" weighing approximately one (1) pounds fifteen and nine tenth (15.9) ounces (hereinafter "Subject Parcel") for controlled substances in violation of Title 21 U.S.C. Sections 841(a)(1) and 843(b), and Title 18, United States Code, Section 1716.
2. I am a U.S. Postal Inspector employed by the Seattle Division of the U.S. Postal Inspection Service, specifically in the Anchorage Domicile. I am a sworn federal law enforcement officer empowered to investigate criminal activity involving or relating to the United States Postal Service and/or



United States Mail. As part of my duties, I investigate incidents where the United States mail system is used for the purpose of transporting non-mailable matter, including controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) Possession with Intent to Distribute a Controlled Substance, and Title 21, United States Code, Section 843(b), Use of a Communication Facility to Facilitate the Commission of a Federal Drug Felony.

3. I have been a Postal Inspector since July 2016. I attended and graduated from a three-month Basic Inspector Training (BIT) academy operated by the United States Postal Inspection Service (USPIS) in October 2016. While attending BIT academy, I received training and instruction on the methods for concealing narcotics in the mail system.
4. Prior to my employment with the USPIS, I was employed for six years by the Federal Air Marshal Service (FAMS) as a Federal Air Marshal (FAM). While employed for the FAMS I was assigned to the Visible Intermodal Prevention and Response Team (VIPR) and was the radio support technician for the Washington Field Office. Prior to being employed by the FAMS, I was employed for four years as a police officer for three different police departments: Seaside Heights Police Department; Ocean City Police Department; and Somers Point Police Department in New Jersey. I was assigned to the bicycle unit as the team leader for my shift at the Seaside Heights Police Department. While employed for the Ocean



City Police Department I was assigned to the community policing unit where we focused on alcohol and narcotics being sold and/or used by underage kids. I graduated in May, 2007 from the Ocean County Police Academy (OCPA) in Class 88 as a Basic Police Officer. While attending OCPA I was trained to recognize the odor of burnt and unburnt marijuana.

5. I have a bachelor's degree in Criminal Justice that I received in December 2008 from The Richard Stockton College of New Jersey in Galloway, NJ.
6. The following information is based on my own knowledge, information obtained from other law enforcement agents and officers, and from specific sources as set forth herein. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

BACKGROUND INFORMATION ABOUT SUBJECT PARCELS

7. Based on my experience, training and discussions with other law enforcement officers experienced in drug investigations, I know that certain indicators exist when persons use the United States Mails to ship controlled substances from one location to another. Indicators for parcels that contain controlled substances include, but are not limited to the following:
 - a. It is a common practice for the shippers of the controlled substances to use Priority Mail because the drugs arrive within three to four



days, but this may vary in Alaska due to geographical location and weather. This service is also commonly used so the parcel can be tracked.

- b. Shippers of controlled substances will utilize cash as payment instead of credit or debit cards. These payment practices are used by narcotics traffickers to hide their true identity and make it difficult for Law Enforcement to identify them.
- c. These parcels in many instances contain a fictitious return address, incomplete return address, no return address, the return address is same as the addressee address, or the return address does not match the place where the parcel was mailed from. These packages are also sometimes addressed to or from a commercial mail receiving agency (i.e., UPS Store). These address practices are used by narcotics traffickers to hide the true identity of the person(s) shipping and/or receiving the controlled substances from law enforcement officials.
- d. In order to conceal the distinctive smell of controlled substances from narcotic detector dogs, these packages tend to be wrapped excessively in bubble-pack and wrapping plastic, and are sometimes sealed with the use of tape around all the seams. Also, the parcels often contain other parcels which are carefully sealed to prevent the escape of odors. Sometimes perfumes, coffee, dryer sheets, tobacco



or other smelling substances are used to mask the odor of the controlled substances being shipped.

- e. When the shipper mails controlled substances from a particular area/state, the proceeds from the sale of the controlled substances may be returned to the shipper. Based on experience and discussions, there are known source states where narcotics are mailed from, including California, Oregon, Washington, Arizona, Texas, Puerto Rico and Nevada.
- f. If cash is obtain through illegitimate means then the cash becomes nonmailable matter. This nonmailable matter is typically sent to known source states.
- g. I know from training and discussions with other law enforcement officers that the following controlled substances are likely to be found during parcel interdictions: marijuana, methamphetamine, cocaine, LSD, psilocybin mushrooms, heroin, opium, MDMA, and proceeds from the sale of narcotics.

FEDERAL STATUTES

8. Based on my investigation in this case, I submit that there is probable cause to search Priority Mail Parcel 9505 5106 9021 8324 1908 79 of evidence, fruits, and instrumentalities of violations of the following federal statutes:



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- a. Title 21, United States Code, Section 841 generally prohibits the “knowing or intentional manufacture, distribution, dispensing, or possession with intent to manufacture, distribute, or dispense, a controlled substance[.]”
- b. Title 21, United States Code, Section 843(b) criminalizes the knowing or intentional use of any communication facility in committing or in causing to facilitate the commission of any act or acts constituting a felony under any provision of this subchapter or subchapter II of this chapter.
- c. Title 18, United States Code, Section 1716 prohibits the mailing of nonmailable matter, including, but not limited to, poison, and “all other natural or artificial articles, compositions, or materials which may kill or injure another, or injure the mails or other property, whether or not sealed as first class matter[.]”

STATEMENT OF PROBABLE CAUSE

9. On November 21, 2018, while researching Postal databases I identified Priority Mail Parcel 9505 5106 9021 8324 1908 79 as suspicious for the following reasons:

- a. The Subject Parcel was mailed from San Juan, PR to Anchorage, AK, via Priority Mail.
- b. The Subject Parcel cost \$7.25 in postage which was paid for with cash in San Juan, PR.



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10. On November 21, 2018, I requested that the Eastchester Post Office in Anchorage, AK intercept the parcel before delivery.
11. On November 26, 2018, I retrieved the Subject Parcel from the Eastchester Post Office. The Subject Parcel was sent from "Juabriel Escalera, C/Palacio 358 Villa Palmera, San Juan P.R. 00915" and was addressed to "Lazaro Escalera, 905 Richardson Vista RD Apt 328, Anchorage, aK 99501." The Subject Parcel is a cardboard box wrapped in wrapping paper measuring approximately 9.5" X 8" X 4" and weighing approximately one (1) pound fifteen and nine tenth (15.9) ounces. The Subject Parcel cost \$12.90 and was mailed from 00911 San Juan, PR. A photograph of the Subject Parcel is included in **Exhibit 1**.
12. The Subject Parcel contains indicators that in my training and experience are consistent with packages known to contain contraband.
- a. The Subject Parcel was sent from Puerto Rico, a known source state for controlled substances. Puerto Rico is a known narcotics source state from which narcotics are shipped out and proceeds of narcotics sales are sent to.
 - b. A search of "CLEAR" returned no record of a "Juabriel Escalera" associated to the shippers address, "C/Palacio 358 Villa Palmera, San Juan P.R. 00915" or San Juan, PR. The data provided by "CLEAR" is a combination of over 33 billion records from over 8,800



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different data sources which are updated daily, weekly, monthly, and annually, depending on the particular data source.

- c. A search of "CLEAR" returned no record of a "Lazaro Escalera" associated to the recipient address, "905 Richardson Vista RD Apt 328, Anchorage, aK 99501."

13. On November 26, 2018, I made arrangements for Alaska State Trooper (AST) K-9 Handler Joel Miner and his canine Mocha, "Balu," to examine the Suspect Parcel in my possession at the Drug Enforcement Administration (DEA) District Office in Anchorage, AK.

14. On November 26, 2018, at approximately 11:08 AM, AST K-9 Handler Miner had his canine Mocha, "Balu," search the booking and processing room at the DEA District Office in Anchorage, AK for the Subject Parcel. At approximately 11:08 AM AST K-9 Handler Miner, Mocha's "Balu's" handler, advised me that the canine located the Subject Parcel and exhibited a change in behavior consistent with the presence of an odor of a controlled substance the canine is trained to recognize. Attached hereto as Exhibit 2 and incorporated herein by reference is a true and correct copy of a written statement provided by AST K-9 Handler Miner, which sets forth Mocha's, "Balu's," training and experience as a narcotics detector dog.



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CONCLUSION

15. Based on my training and experience as a Postal Inspector and the
aforementioned factors, I believe there is probable cause to believe that
the Subject Parcel, Priority Mail Parcel 9505 5106 9021 8324 1908 79,
contains controlled substances and/or other evidence of violations of Title
21, United States Code, Sections 841(a)(1) and 843(b), and Title 18,
United States Code, Section 1716.

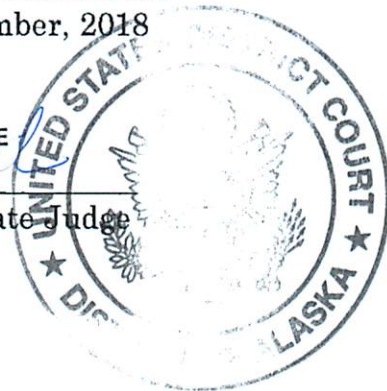


Andrew E Grow, Jr.
Postal Inspector, USPIS
Anchorage Domicile

Subscribed and sworn to before me
this 27 day of November, 2018

/s/ DEBORAH M. SMITH
CHIEF U.S. MAGISTRATE JUDGE
SIGNATURE REDACTED

United States Magistrate Judge
District of Alaska
Anchorage, Alaska



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